

UNITED STATES OF AMERICA,) 2:14-CR-393-LRH-(VCF)
)
 Plaintiff,)
)
 v.) Preliminary Order of Forfeiture
)
 BLADIMIR AMADO DIAZ-GARCIA,)
)
 Defendant.)

This Court finds that defendant BLADIMIR AMADO DIAZ-GARCIA pled guilty to Count One of a Four-Count Criminal Indictment charging him with Possession of a Controlled Substance with Intent to Distribute in violation of Title 21, United States Code, Section 841(a)(1). Criminal Indictment, ECF No. 8; Change of Plea, ECF No. __; Plea Agreement, ECF No. .

This Court finds defendant BLADIMIR AMADO DIAZ-GARCIA agreed to the forfeiture of the property set forth in the Plea Agreement. Criminal Indictment, ECF No. 8; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the offense to which defendant BLADIMIR AMADO DIAZ-GARCIA pled guilty.

The following property is (1) any firearm or ammunition involved in or used in any violation of any other criminal law of the United States, Title 21, United States Code, Section 841(a)(1) and (2) any firearm or ammunition intended to be used in any offense punishable under

1 the Controlled Substances Act, Title 21, United States Code, Section 841(a)(1), and is subject to
2 forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) with Title 28, United States
3 Code, Section 2461(c) and Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(B)
4 with Title 28, United States Code, Section 2461(c):

5 9 millimeter Hi-Point handgun with its serial number obliterated recovered from a
6 dresser in the living room in 4775 Topaz Street, Apartment 223, Las Vegas,
7 Nevada (property).

8 This Court finds the United States of America is now entitled to, and should, reduce the
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
11 the United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
13 of BLADIMIR AMADO DIAZ-GARCIA in the aforementioned property is forfeited and is
14 vested in the United States of America and shall be safely held by the United States of America
15 until further order of the Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
17 America shall publish for at least thirty (30) consecutive days on the official internet government
18 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
19 property, state the time under the applicable statute when a petition contesting the forfeiture must
20 be filed, and state the name and contact information for the government attorney to be served
21 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
22 Section 853(n)(2).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
24 entity who claims an interest in the aforementioned property must file a petition for a hearing to
25 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
26 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,

1 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the
2 nature and extent of the petitioner's right, title, or interest in the forfeited property and any
3 additional facts supporting the petitioner's petition and the relief sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
5 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
6 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
7 sixty (60) days after the first day of the publication on the official internet government forfeiture
8 site, www.forfeiture.gov.

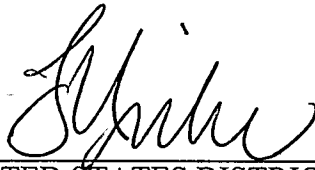
9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
10 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
11 the following address at the time of filing:

12 Michael A. Humphreys
13 Assistant United States Attorney
14 Daniel D. Hollingsworth
15 Assistant United States Attorney
16 501 Las Vegas Boulevard South, Suite 1100
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
19 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
20 agency following publication of notice of seizure and intent to administratively forfeit the above-
21 described property.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
23 of this Order to all counsel of record.

24 DATED this 7th day of June, 2016.

25 
26 UNITED STATES DISTRICT JUDGE